

REMARKS/ARGUMENTS

Claims 1, 3, 4, 6, 7, 13, 16 through 18, 23, and 48 through 57 are pending in this application. For at least the reasons set forth below, Applicants respectfully submit that the present claims are patentably distinguishable over the cited art.

Claims 1, 3, 48, 50, 53, 54, and 57 stand rejected under 35 USC §102(b) as being unpatentable over U.S. Patent No. 5,447,499 to Allaire et al. ("Allaire").

Claim 1 recites a tampon applicator barrel with a finger grip including an applicator barrel body having an outer surface. A three-dimensional tape is connectable to a portion of the outer surface. The tape includes a first surface and a second surface opposite the first surface. The first surface has formed thereon at least one integrally formed gripping structure. The second surface is detachably connected to a release liner.

Allaire is directed to a wound dressing product. See col. 3, lines 45-47. The wound dressing product has a syringe device for inserting and removing a wound dressing into and from a deep wound. See col. 4, lines 10-12. The wound dressing includes a release liner that covers the exposed end of the wound dressing as it is stored in the housing of the syringe. See col. 4, lines 29-31. The release liner is peeled away by the user prior to insertion of the wound dressing into the deep wound. See col. 4, lines 31-33.

Applicants respectfully submit that Allaire fails to disclose or suggest a tampon applicator barrel with a finger grip including an applicator barrel body having an outer surface, a three-dimensional tape being connectable to a portion of the outer surface, where the tape includes a first surface and a second surface opposite the first surface, with the first surface having formed thereon at least one integrally formed gripping structure, and that the second surface is detachably connected to a release liner as recited in claim 1.

Applicants disagree with the Action's characterization of the Allaire device as having a tampon applicator barrel. Allaire provides a wound dressing product adapted to be inserted into a deep wound found on a patient in a hospital environment. See col. 3, lines 45-47. In addition, figure 4 illustrates that the syringe remains outside of the exterior surface of a patient's skin during insertion of the wound dressing product into the deep wound. Clearly, a wound dressing product is not a tampon applicator barrel.

Furthermore, applicants disagree with the Action's characterization of the release liner as three-dimensional tape including a first surface and a second surface opposite the first surface with the first surface having formed thereon at least one integrally formed gripping structure and with the second surface being connected to a release liner. The release liner provided by Allaire is uniformly two dimensional as clearly shown in Figure 1. Furthermore, Allaire has a tab extending from the periphery of the release liner, rather than having a first surface and a second surface opposite the first surface with the first surface having formed thereon at least one integrally formed gripping structure, as recited by claim 1.

Moreover, Allaire provides a release liner that covers the exposed end of the wound dressing as it is stored in the housing of the syringe. See col. 4, lines 29-31. The release liner is peeled away by the user prior to insertion of the wound dressing into the deep wound. See col. 4, lines 31-33. Thus, Allaire provides a release liner only that is connectable to the syringe, as clearly shown in Figure 1, rather than three-dimensional tape including a first surface and a second surface opposite the first surface with the first surface having formed thereon at least one integrally formed gripping structure and with the second surface being connected to a release liner, as recited by claim 1.

Therefore, a tampon applicator barrel with a finger grip including an applicator barrel body having an outer surface, a three-dimensional tape being connectable to a portion of the outer surface, where the tape includes a first surface and a second surface opposite the first surface, with the first surface having formed thereon at least one integrally formed gripping structure, and that the second surface is detachably connected to a release liner as recited in claim 1 are not disclosed or suggested by Allaire.

Claims 3, 48, 50, 53, 54, and 57 depend from claim 1, and for at least the reasons set forth above for claim 1, thus, are also patentably distinguishable over Allaire.

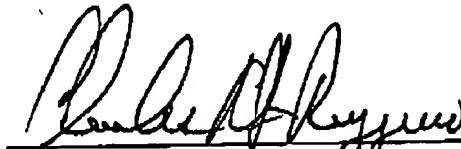
It is respectfully submitted that claim 1 and claims 3, 48, 50, 53, 54, and 57 depending therefrom, are patentably distinguishable over Allaire. Accordingly, reconsideration and withdrawal of the §102(b) rejection are requested.

Claims 4, 6, 7, 13, 16 through 18, 23, 49, 51, 52, 55, and 56 stand rejected under 35 USC §103(a) as being unpatentable over Allaire.

Claims 4, 6, 7, 13, 16 through 18, 23, 49, 51, 52, 55, and 56 depend from claim 1, and thus, include the elements of claim 1 discussed above. As discussed above, Allaire fails to disclose or suggest a tampon applicator barrel with a finger grip including an applicator barrel body having an outer surface, a three-dimensional tape being connectable to a portion of the outer surface, where the tape includes a first surface and a second surface opposite the first surface, with the first surface having formed thereon at least one integrally formed gripping structure, and that the second surface is detachably connected to a release liner, as recited in claim 1. Thus, claims 4, 6, 7, 13, 16 through 18, 23, 49, 51, 52, 55, and 56 depend from claim 1 are also patentable over Allaire for the reasons set forth above. As such, Applicants respectfully request reconsideration and withdrawal of the §103(a) rejection of these claims.

Applicants respectfully submit that the pending claims define an invention that is neither disclosed nor suggested by the cited reference. As such, reconsideration and withdrawal of the rejections and passage of this application to allowance is respectfully requested.

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